

U.S. DEPARTMENT OF AGRICULTURE  
WASHINGTON, D.C. 20250

<b>DEPARTMENTAL REGULATION</b>		NUMBER:
SUBJECT: Collaborative Forest Landscape Restoration Advisory Committee	DATE: MAR 22 2010	
	OPI: Forest Service	

1. AUTHORITY

The charter for the Collaborative Forest Landscape Restoration Advisory Committee (Committee) is hereby established pursuant to the implementation of Title IV of Omnibus Public Land Management Act of 2009, establishing the Collaborative Forest Landscape Restoration (CFLR) Program and is in the public interest. The Committee is established in accordance with the provisions of the Federal Advisory Committee Act (FACA), as amended, 5 U.S.C. App. II.

2. PURPOSE AND SCOPE

The purpose of the Committee is to evaluate, support, and provide recommendations on each nominated collaborative forest landscape restoration project to the Secretary of Agriculture.

3. DUTIES

- a. The Committee shall be solely advisory in nature.
- b. The Committee will evaluate collaborative forest landscape restoration projects submitted to the Secretary of Agriculture to determine whether these projects meet the eligibility criteria established in Section 4003(b) of the Act.
- c. The Committee, in evaluating proposals, shall give special consideration to:
  - (1) the strength of the proposal and strategy;
  - (2) the strength of the ecological case of the proposal and the proposed ecological restoration strategies;
  - (3) the strength of the collaborative process and the likelihood of successful collaboration throughout implementation;

- (4) whether the proposal is likely to achieve reductions in long-term wildfire management costs;
- (5) whether the proposal would reduce the relative costs of carrying out ecological restoration treatments as a result of the use of woody biomass and small-diameter trees; and
- (6) whether an appropriate level of non-Federal investment would be leveraged in carrying out the proposal.

#### 4. REPORTS

The Committee reports to the Secretary of Agriculture through the Chief of the Forest Service.

#### 5. SUPPORT

Clerical and other administrative support for the advisory committee will be provided by the Forest Service.

#### 6. ESTIMATED ANNUAL OPERATIONS COSTS/STAFF YEARS

- a. Annual estimated operating costs of the committee is \$100,000. Expenses will be borne by the US Forest Service each year. Federal staff support is estimated at 0.5 staff year per year.
- b. Members of the Committee shall serve without compensation, but with reimbursement of travel expenses in accordance with Federal per diem rates for attendance at the meetings. All expenses will be subject to approval of Designated Federal Officer.

#### 7. DESIGNATED FEDERAL OFFICER

- a. The Secretary of Agriculture shall appoint a full-time employee as the Designated Federal Officer (DFO) under Sections 10(e) and (f) of the Federal Advisory Committee Act, 5 U.S.C. App. The DFO will:
  - (1) Approve or call all of the advisory committee's and subcommittee's meetings,
  - (2) Prepare and approve all meeting agendas,
  - (3) Attend all committee and subcommittee meetings,
  - (4) Adjourn any meeting when he or she determines adjournment to be in the public interest; and

(5) Chair meetings when directed to do so by the Secretary of Agriculture.

#### 8. ESTIMATED NUMBER AND FREQUENCY OF MEETINGS

- a. The advisory committee is required to meet annually, but may meet as often as is necessary to complete its business.
- b. As required by FACA, the Committee will hold open meetings unless the Secretary of Agriculture determines that a meeting or a portion of a meeting may be closed to the public in accordance with Subsection c of Section 522(b) of Title 5, United States Code. Interested persons may attend meetings, appear before the committee as time permits, and file comments with the committee.
- c. A majority of the members of the advisory committee shall constitute a quorum for a meeting that will provide consensus direction. The Committee shall not hold any meetings except at the call of, or with the advance approval of, the DFO.
- d. Notice of each meeting shall be provided in the Federal Register at least 15 days before each meeting. Committee members will be notified personally of the date, time, and place of each meeting.

#### 9. DURATION AND TERMINATION

- a. This regulation will expire in 2 years from the date of filing unless renewed by proper authority and appropriate action.
- b. The functions of the Committee cannot be accomplished in less than 2 years. In accordance with the departmental regulations, unless renewed, the Committee will terminate 2 years from the date of filing the charter.
- c. In the event project proposals commit all funding and funding for new proposals is not available, then the committee's services may be terminated at the discretion of the Secretary.

#### 10. MEMBERSHIP AND DESIGNATION

- a. The Committee will be comprised of no more than 15 members approved by the Secretary of Agriculture. Committee membership will be fairly balanced in terms of the points of view represented and functions to be performed.
- b. The Committee shall include experts in the following areas:
  - (1) Ecological Restoration;
  - (2) Fire Ecology;



- (3) Fire Management;
  - (4) Rural Economic Development;
  - (5) Ecological Adaptation to Climate Change;
  - (6) Fish and Wildlife Ecology; and
  - (7) Woody Biomass and Small Tree Utilization.
- c. If a Committee member fails to attend (in person or by telephonic or electronic means) three consecutive official meetings, the Secretary or Designated Federal Officer (DFO) may remove that member from the Committee.
  - d. A vacancy on the Committee will be filled in the manner in which the original appointment was made.
  - e. The USDA Forest Service, Director of Forest Management, or designee, shall serve as the DFO for the Committee.
  - f. The Committee may create and operate subcommittees if approved by the Secretary.
  - g. Equal opportunity practices, in line with USDA policies, will be followed in all appointments to the Committee. To ensure that the recommendations of the Committee have taken into account the needs of the diverse groups served by the Departments, membership should include, to the extent practicable, individuals with demonstrated ability to represent minorities, women, and persons with disabilities.
  - h. Committee members will be appointed based on their expertise and knowledge identified in under Section 10(b). The Committee shall consist of qualified scientists and/or other officials from academia; tribal, state, county, or similar agencies; non-government organizations; and related industries. FACA balance and other requirements and equal opportunity practices will be followed in accordance with sponsors' policies in appointments.

Non-Federal government employees will be appointed to serve as non-salaried special government employees (SGEs), and will be subject to appropriate conflict of interest statutes and standards of ethical conduct. As a condition of their appointment, a SGE must complete the Office of Government Ethics' 450 Confidential Financial Disclosure Report, before rendering any advice or no later than the first meeting. Members will be reviewed for conflict of interest, pursuant to 18 U.S.C.208 in relation to specific Committee functions.

All Committee members will receive ethics training at the start of their Committee term. An ethics training refresher will be given annually. Training format and design will be according to the recommendations of the USDA Ethics Office.

#### 11. RECORDSKEEPING

The records for the Collaborative Forest Landscape Restoration Advisory Committee shall be handled in accordance with General Records Schedule 26, Item 2 or other approved agency records disposition schedule. These records shall be available for public inspection and copying, subject to the Freedom of Information Act, 5 U.S.C. 552.

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